

FILED 08 MAY 06 15:56 USDC-ORP

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

CAROL SCHNEIDER,

CV. 05-1402 PK

Plaintiff,

OPINION AND ORDER

v.

UNUM LIFE INSURANCE COMPANY OF,
AMERICA,

Defendant.

REDDEN, Judge:

Magistrate Judge Paul Papak issued Findings and Recommendation (#97) on April 14, 2008, recommending that defendant's Motion to Dismiss (#88) be denied.. The matter is now before this court pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

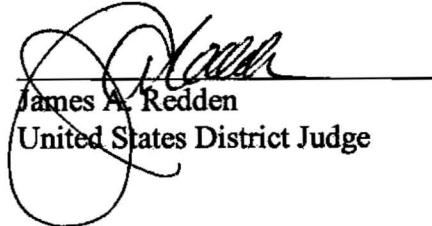
When, as here, no objections are filed, the court is not required to review the factual or legal conclusions of the Magistrate Judge. *See, Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

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After review, I agree with Judge Papak's Recommendation. There is no legal error. The court adopts Magistrate Judge Papak's Findings and Recommendations (#97). Defendant's Motion to Dismiss (#88) is denied.

IT IS SO ORDERED.

Dated this 6 day of May, 2008.



James A. Redden
United States District Judge